

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SCOTT A. BROOKS,

Defendant.

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Case No. 8:06CR90

ORDER

This case is before the court on the defendant's Motion to Reconsider Conditions of Pretrial Release [21]. After consideration of the motion and reviewing the March 30, 2006 initial appearance Pretrial Services report, the motion is denied.

The proposed placement of the defendant at Williams Prepared Place fails to adequately address the Court's concerns contained in the March 30, 2006 Detention Order [13]. The proposed placement does not significantly address the defendant's prior criminal history, or his noncompliance with previous court orders, and would not, given his prior record, result in an adequate level of supervision. In reaching this conclusion, I specifically considered the defendant's extensive prior record, which includes two prior felony drug convictions and his failures to appear. Additionally, I would note that the proposed plan of release fails to rebut the presumption of detention under 18 U.S.C. § 3142(e).

IT IS ORDERED:

1. The defendant's Motion to Reconsider Conditions of Release [21] is denied without hearing.

Dated this 25th day of April 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge